

ITEM NO: _____

PREPARED BY: Ray Siddiqui

APPROVED BY: _____

RESOLUTION APPROVING A CONTRACT WITH WAGNER GENERAL CONTRACTORS IN THE AMOUNT OF \$264,995.00 AND \$26,500.00 FOR EXTRA WORK ALLOWANCE FOR A TOTAL AMOUNT OF \$291,495.00 FOR THE CONSTRUCTION OF THE SHELBY FARMS PLOUGH PARK PUBLIC RESTROOMS FACILITY AND THIS ITEM REQUIRES AN EXPENDITURE OF COUNTY CIP FUNDS IN THE AMOUNT OF \$145,747.50 AND AN EXPENDITURE OF STATE GRANT FUNDS IN THE SAME AMOUNT FOR A TOTAL AMOUNT OF \$291,495.00. SPONSORED BY COMMISSIONER WYATT BUNKER.

WHEREAS, Bids were requested and received on February 1, 2008 for the construction of Shelby Farms Plough Park Public Restrooms facility with the lowest/best bid meeting specifications being submitted by Wagner General Contractors, Inc. in the amount of \$264,995.00; and

WHEREAS, Permanent restroom facilities are not available in the Plough Park area of Shelby Farms; and

WHEREAS, Wagner General Contractors, a Shelby County based company, has committed to subcontract thirty-one and a half percent (31.5%) of the work to locally owned small businesses (LOSB's); and

WHEREAS, The Tennessee Department of Environment and Conservation (TDEC) has provided matching grant funds in the amount of \$150,000.00; and

WHEREAS, It is necessary to appropriate funds in the amount of \$264,995.00 to fund this contract and \$26,500.00 for an extra work allowance for a total amount of \$291,495.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the contract with Wagner General Contractors, Inc. in the amount of \$264,995.00 and \$26,500.00 for extra work allowance for a total amount of \$291,495.00 for construction of the Shelby Farms Plough Park Public Restrooms Facility is hereby approved.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute the aforementioned contract on behalf of Shelby County Government, an executed copy of which is to be placed on file in the Contracts Administration Section of the Office of the County Attorney.

BE IT FURTHER RESOLVED, That funds in the amount of \$291,495.00 are hereby appropriated from the FY 2007-2008 CIP Budget from CIP Project No. 101908, Shelby Farms.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in amounts not to exceed \$291,495.00 for the purposes contained in this resolution to Wagner General Contractors, Inc. and to take proper credit in their accounting therefore.

A C Wharton, Jr., County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED: _____

SUMMARY SHEET

I. Description of Item

This item approves a contract with Wagner General Contractors, Inc. for the construction of the Shelby Farms Plough Park Public Restrooms Facility.

II. Source and Amount of Funding

A. Amount Expended/Budget Line Item

TDEC has provided matching grant funds in the amount of \$150,000.

FY 2007-2008 CIP PROJECT FOR PROJECT NO. 101908, SHELBY FARMS

Original Allocation	\$300,000.00
This Request	<u>291,495.00</u> (includes 10% contingency)
Balance If Approved	<u>\$ 8,505.00</u>

B. All Costs (Direct/Indirect) including this request

1. Design - \$30,650.00 (Appropriated in prior years)
2. Construction - \$264,995.00

C. Additional or Subsequent Obligations or Expenses of Shelby County

1. None

III. Contract Items

A. Type of Contract	Standard
B. Terms	90 Calendar days or until project completion

IV. Additional Information Relevant to Approval of this Item

Shelby County is proposing to construct a restroom facility for the Plough Park area in Shelby Farms subject to the availability of grant funds from the Tennessee Department of Environment and Conservation in the amount of \$150,000. Currently, sanitary facilities are inadequate and portable toilets must be brought in for special events to meet public health requirements.

This project was pushed back due to the unusual circumstances of bidding it three times. The first bid invitation was limited to LOSB's and the low bid came in at \$719,500 which is more than \$400,000 over budget estimates. A second bidding process that opened the construction award to all contractors but required LOSB participation, resulted in a low bid of \$572,000; still \$300,000 above available funds. In an effort to move the project forward and award the contract, the Engineering Department recommended several value engineering options to the contractor that would have brought the project into budget. No agreements could be reached and the decision was made to re-bid the project a third time. A low bid of \$264,995 was received from Wagner General Contractors which is within the \$300,000 budget. Thirty-one and a half percent (31.5%) of the work will be performed by LOSB's certified in Shelby County.